

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BLUE CASTLE (CAYMAN) LTD.,
Plaintiff,

-v-

GARNETT MILLER, *et al.*,
Defendants.

23-CV-4133 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

On November 12, 2024, the Court ordered Plaintiff Blue Castle (Cayman) Ltd. to follow this Court's Individual Rules in Civil Cases if it moved for default judgment against select Defendants. (ECF No. 43.) In those Individual Rules, the Court states:

Any party seeking a default judgment must proceed by filing a motion for default judgment on ECF pursuant to Federal Rule of Civil Procedure 55(b)(2) and Local Civil Rule 55.2(b). A party seeking a default judgment should *not* proceed by order to show cause.¹

The Court then enumerates steps that a moving party should take, including serving the motion and its supporting papers on the party against whom default judgment is sought.

On November 19, 2024, Plaintiff obtained a Certificate of Default, but it did not properly refile its motion for default judgment and supporting papers or serve that motion and its supporting papers on the Defendants as directed. Instead, it proceeded by filing an order to show cause. (ECF No. 53.)

By December 16, 2024, Plaintiff is directed to either (1) file a letter concerning the status of the case, or (2) properly refile its motion for default judgment against select Defendants and

¹ Parties can access the Court's Individual Rules at the following link:
https://nysd.uscourts.gov/sites/default/files/practice_documents/JPO%20Oetken%20Individual%20Practices%20Civil%20Cases%20February%2016%202021.pdf.

serve this motion and supporting papers on Defendants, adhering to the instructions in the Court's Individual Rules.

Plaintiff is directed to serve a copy of this order on Defendants.

SO ORDERED.

Dated: December 2, 2024
New York, New York



J. PAUL OETKEN
United States District Judge